



Circuit Court for _____

City or County

Case No. _____

Name _____

VS. _____

Name _____

Street Address _____

Apt # PO Box _____

()

City _____

State _____

Zip Code _____

Area
Code

Telephone _____

Plaintiff/Counter-Defendant

Street Address _____

Apt # PO Box _____

()

City _____

State _____

Zip Code _____

Area
Code

Telephone _____

Defendant/Counter-Plaintiff

COUNTER-COMPLAINT FOR ABSOLUTE DIVORCE

(DOM REL 94)

I, _____, representing myself, herein file a
Your Name
 Counter-Complaint against the Plaintiff/Counter-Defendant and in support state:

1. The Plaintiff/Counter-Defendant and I were married on _____
Month/Day/Year
 in _____ in a civil/religious ceremony.
City/County/State where Married (Circle One)

2. *Check all that apply: (See paragraph 12)*

- ☐ The grounds for divorce occurred in the State of Maryland.
☐ The grounds for divorce occurred outside the State of Maryland and I or my spouse have been a resident for at least one (1) year prior to the date of the filing of this Complaint.

3. *Check one:*

- ☐ We have no children together (skip paragraphs 5 through 9) or
☐ My spouse and I are parents of the following child(ren):

_____	_____	_____	_____
Name	Date of Birth	Name	Date of Birth
_____	_____	_____	_____
Name	Date of Birth	Name	Date of Birth
_____	_____	_____	_____
Name	Date of Birth	Name	Date of Birth

4. I know of the following related cases concerning the child(ren) or parties (such as domestic violence, paternity, divorce, custody, visitation, termination of parental rights, adoption or other cases):

<u>Court</u>	<u>Case No.</u>	<u>Kind of Case</u>	<u>Year Filed</u>	<u>Results or Status (if you know)</u>
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_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

5. I have been a party, witness, or otherwise involved in the following cases about custody or visitation of the child(ren):

<u>State</u>	<u>Court</u>	<u>Case No.</u>	<u>Date of Child Custody Determination</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Attach the most recent court order for the above-referenced court cases.

6. I know of the following people, not parties to this case, who have physical custody of, or claim rights of legal custody or physical custody of, or visitation with the child(ren):

_____ Name	_____ Current Address
_____ Name	_____ Current Address
_____ Name	_____ Current Address

7. The child(ren) are currently living with: _____.

8. The child(ren) have lived in the following places, with the persons indicated during the last five years:

<u>Time Period</u>	<u>Place</u>	<u>Name(s)/Current Address of Person(s) with whom Child Lived</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

9. It is in the best interests of the child(ren) that I have (*check all that apply*):

- ☐ joint / sole (*circle one*) physical custody of _____
Name of Children
- ☐ joint / sole (*circle one*) legal custody of _____
Name of Children
- ☐ visitation with _____
Name of Children

10. I am / am not (*circle one*) seeking alimony because _____
_____.

11. (You do not have to complete paragraph 11 if you are not asking the court to make decisions about your property.) My spouse and/or I have the following property and debts (check all that apply):

- | | |
|--|--|
| <input type="checkbox"/> House(s) | <input type="checkbox"/> Furniture |
| <input type="checkbox"/> Pension(s) | <input type="checkbox"/> Bank account(s) and investment(s) |
| <input type="checkbox"/> Motor Vehicle(s) | <input type="checkbox"/> Family Use Personal Property |
| <input type="checkbox"/> Debts (attach list) | <input type="checkbox"/> Other: _____ |

12. My grounds for an absolute divorce are: *(Check all that apply)*

- ☐ **Twelve (12) Month Separation** - From on or about _____, my spouse and I have lived separate and apart from each other in separate residences, without interruptions, without sexual intercourse, for more than 12 months.
Month/Day/Year
- ☐ **Adultery** - My spouse committed adultery.
- ☐ **Actual Desertion** - On or about _____, my spouse, without just cause or reason, abandoned and deserted me, with the intention of ending our marriage. This abandonment has continued without interruption for more than 12 months and there is no reasonable expectation that we will reconcile.
Month/Day/Year
- ☐ **Constructive Desertion** - My spouse's actions have terminated the husband and wife relationship and made it impossible for me to continue the marriage and preserve my health, safety or self-respect, and since these actions occurred, I have not had sexual intercourse with my spouse. This conduct was the final and deliberate act of my spouse and it has continued without interruption for more than 12 months and there is no reasonable expectation that we will reconcile.
- ☐ **Criminal Conviction of a Felony or Misdemeanor** - On or about _____, my spouse was sentenced to serve at least three years or an indeterminate sentence in a penal institution and has served 12 or more months of the sentence.
Month/Day/Year
- ☐ **Cruelty/Excessively Vicious Conduct Against Me or my minor child** - My spouse has persistently treated me or my minor child cruelly and has engaged in excessively vicious conduct rendering continuation of the marital relationship impossible if I am to preserve my health, safety, and self-respect, and there is no reasonable expectation that we will reconcile.
- ☐ **Insanity** - On or about _____, my spouse was confirmed to a mental institution, hospital, or other similar institution and has been confined for 3 or more years. Two doctors competent in psychiatry will testify that the insanity is incurable and there is no hope of recovery. My spouse or I have been a resident of Maryland for at least two years before the filing of this complaint.
Month/Day/Year

FOR THESE REASONS, I request *(check all that apply)*:

- ☒ An Absolute Divorce.
- ☐ A change back to my former name: _____
Full Former Name
- ☐ Sole/Joint physical custody of the minor child(ren) and reasonable child support.
(Circle One)
- ☐ Sole/Joint legal custody of the minor child(ren) and reasonable child support.
(Circle One)
- ☐ Visitation with the minor child(ren).
- ☐ Use and possession of the family home for up to three years from the date of the divorce.
- ☐ Use and possession of the family use personal property for up to three years from the date of the divorce.
- ☐ Child support (Attach Form DOM REL 30 or DOM REL 31).
- ☐ Health insurance for the child(ren).
- ☐ Health insurance for me.

- ☐ My share of the property or its value.
- ☐ Transfer of family use personal property.
- ☐ Transfer of real property jointly owned by the parties located at: _____

 from _____ to _____.
- ☐ Authorize _____ to purchase from _____
Name of party Full Former Name
 an interest in real property located at _____
 _____.
- ☐ A monetary award (money) based on marital property.
- ☐ Alimony (Attach Form DOM REL 31).
- ☒ Any other appropriate relief.

AFFIDAVIT

I, _____, solemnly affirm under the penalties of perjury,
Your Name
 that the contents of this document are true to the best of my knowledge, information, and belief.

 Date

 Signature

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this _____ day of _____, _____, a copy of this Counterclaim and a copy of the forms listed above, were mailed, postage prepaid, to:

 Opposing Party or His/Her Attorney

 Opposing Party's or His/Her Attorney's Address including City/State/Zip

 Date

 Signature